

*J. Kline*

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

SEP 14 1983

Docket Nos. 50-329  
and 50-330

MEMORANDUM FOR: William D. Paton, Attorney  
Office of the Executive Legal Director

FROM: Ronald L. Ballard, Chief  
Environmental & Hydrologic Engineering Branch  
Division of Engineering

SUBJECT: PREPARATION OF FINDINGS OF FACT AND CONCLUSIONS OF  
LAW WITH RESPECT TO THE MIDLAND HEARINGS

Plant Name: Midland Plant Units 1 and 2  
Licensing Stage: OL  
Requested Completion Date: September 23, 1983

In notes dated May 23, 1983 and August 10, 1983 which you addressed to the Midland PM, Darl Hood (with copies sent to the Midland reviewers), you requested assistance in reviewing Consumer Power Company's "Proposed Findings of Fact and Conclusions of Law on Remedial Soils Issues".

Although we performed a cursory review of the entire findings, our review emphasis was on the paragraphs related to our SER and SSER input and to the testimony presented at the hearings.

We are in full agreement with the applicant's findings except for the following:

The last sentence of paragraph 456 states, "Therefore, there is reasonable assurance that the public health and safety will not be endangered by the occurrence of liquefaction at the Midland site." We don't think this is a correct statement. The occurrence of liquefaction could be a problem, that is the reason for the permanent dewatering system. We would recommend that the sentence be revised to read as follows: "Therefore, there is reasonable assurance that liquefaction will not occur and thus, that the public health and safety will not be endangered."

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We also note that contrary to what footnote no. 565 states, figure 2.11 of SSER #2 does not show the location of the circulating water lines.

This review was performed by R. Gonzales who can be reached on extension 28018.

Original signed by Ronald L. Ballard

Ronald L. Ballard, Chief  
Environmental & Hydrologic  
Engineering Branch  
Division of Engineering

- cc: R. Vollmer
- W. Johnston
- D. Hood
- N. Wright
- M. Wilcove
- G. Lear
- M. Fliegel
- L. Heller
- J. Kane
- R. Gonzales

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